IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 37226 of 2007(F)

PETITIONER:

P.S.KRISHNADAS,
ASSISTANT ENGINEER, P.W.D. BUILDING SECTION,
THRISSUR.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER (ADMINISTRATION),
PUBLIC WORKS DEPARTMENT,
THIRUVANANTHAPURAM.

3. THE DEPARTMENTAL PROMOTION COMMITTEE
FOR MAKING PROMOTION TO THE POST OF ASST.EXECUTIVE
ENGINEER (CIVIL) IN THE PUBLIC WORKS DEPARTMENT,
REP.BY ITS CONVENOR, SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J

W.P.(C).37226/2007

Dated this the 17th day of December, 2007

JUDGMENT

Petitioner who is working as an Assistant Engineer in the Public Works Department aspires for promotion to the post of Assistant Executive Engineer. According to him, Departmental promotion Committee for the post of Assistant Executive Engineer should have been convened earlier. But there is unnecessary delay. He refers to Rule 28(b) (1)(4)(a) of Part II of the KS & SSR, which provides "Select Lists shall be prepared during a calendar year for the vacancies estimated to arise in the next calendar year." It is contended that apart from 16 vacancies that are currently existing, 50 vacancies are due to arise during the year 2008. Learned counsel for the petitioner submits that in the circumstances where DPC has not been convened in 2007 so far, DPC to be convened should prepare a select list taking note of the vacancies due to arise for the next year also. Petitioner has brought this to the notice of the third respondent, by Ext.P12 representation.

2. After having heard the learned Government Pleader also, writ petition is disposed of directing the third respondent to look into Ext.P12 and take a decision thereon, before DPC is convened for the post of Assistant Executive Engineer in Public Works Department, provided such DPC has not been convened so far.

V.GIRI,
Judge

mrcs